REMARKS

Applicants respectfully traverse and request reconsideration.

Claims 10 and 27 stand objected to because it is alleged that they only give one option. However, Applicants respectfully submit that the claims provide at least two options. For example, claim 10 indicates that the method of claim 9 includes providing the indication as the server replica of the current public key certificate, or as an encoded message identifying differences between the user replica of the public key certificate and the server replica of the public key certificate. As such, Applicants respectfully request that this objection be withdrawn.

Claim 15 stands rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,261,002 (Perlman) in view of U.S. Patent No. 5,471,629 (Risch).

The black list described in the Perlman reference and the operation of the user's computer in Perlman et al. is distinctly different from Applicants' claimed invention. For example, Perlman et al. appears to be silent as to, among other things, that the end user provides certificate update subscription information that includes the identity of a plurality of subscriber subjects that the end user is interested in communicating with to effectively allow selective update information for a subscriber subject selected by an end user. Moreover, the claims require, among other things, providing the certificate update subscription information to the server to allow the server to selectively provide update information for those subscriber subjects selected by the end user. In contrast, the blacklist of Perlman et al. is simply a list of only revoked or invalid certificates none of which appear to be selectively chosen by the end user nor selectively evaluated by the server. The blacklist does not include expired certificates in order to reduce bandwidth.

7

The certification authority of Perlman et al. issues a list of certificates that have been revoked either periodically or on demand containing a list of certificates that have been issued in the past but which are now to be considered invalid. The blacklist supplements lists that include expired certificates. Accordingly, Perlman et al. does not, among other things, monitor a specific public key certificate in response to subscription information or notify a user when it changes. In fact, it appears that the user merely stores the blacklist as sent by the server, and does not update, select or provide update subscription information. Accordingly, the claims are believed to be in condition for allowance.

[INSERT ABOVE] Applicants respectfully submit that it appears that specific claim language is not being addressed in the office action that this claim language, in combination with the other claim language is not taught or suggested by the references either alone or in combination. For example, Applicants claim that a user generates certificate update subscription information that includes at least the identity of one subscriber subject that the end user is interested in and their associated public keys. In addition, the user determines newly updated public key certificates based on an indication of the change received after monitoring and notification by a server. The office action admits that Perlman does not, among other things provide a facility for monitoring a specific public key certificate in response to subscription information, nor notifying the user when it changes.

The office action then cites the Risch reference, which is directed to a method of monitoring changes in an object oriented database with tuned monitors, as being properly combinable with the teachings of Perlman. In order for references to be properly combinable, the references must be evaluated in their entirety and there must be some motivation to combine their selected teachings other than from Applicants' claimed invention. Applicants respectfully

8

submit that there is no motivation to combine these references. For example, as noted above, Perlman deals with a completely different problem than that described in the Risch reference and does not contemplate any type of generating certificate update subscription information that includes at least the identity of at least one subscriber subject that the end user is interested in and their associated public keys. In fact, Applicants respectfully submit that Perlman teaches an opposite approach wherein the certification authority of Perlman merely issues a list of certificates that have been revoked. The black list described in Perlman supplements lists that have included expired certificates. Perlman does not contemplate any type of monitoring by the server changes that occur to public key certificates that were identified in the user request which included associated public keys of a party that the end user was interested in. This is because Perlman appears to provide a conventional prior art mechanism for globally indicating those certificates that have expired, to participants in the public key infrastructure.

Applicants are unable to find the motivation in Perlman that would provide one of ordinary skill in the art the desire to employ the operation described in Risch. The only apparent motivation given in the office action appears to be that Perlman states that a disgruntled employee holding a public key would have the ability to attack an employer. However, Applicants are uncertain how this statement provides a factual basis for motivation as required by controlling case law. Since it appears to be a conclusory statement, Applicants respectfully submit that there has not been a showing of a prima facia case of obviousness.

Moreover, Risch is not directed to any type of public key infrastructure nor tracking of public key certificates nor identifying a subscriber subject that an end user is interested in their associated public key nor determining, by user newly updated public key certificate based on the indication of a change in public key certificates as performed by a server. As such, one of

ordinary skill reading the Risch reference would not be motivated to combine its teachings with Perlman. Similarly, one of ordinary skill in the art reading Perlman where Perlman indicates that a disgruntled employee holding a public key would have the ability to attack an employer also would not be motivated to employ the teachings of Risch. In fact, Perlman's solution for solving his problem of an employee attack is to provide the black list that Perlman describes. As such, it appears that the only motivation for combining the selective and disparate teachings of these references comes directly from Applicants' claimed invention. Accordingly, the claims are in condition for allowance.

Claims 8, 11, 13, 14, 24, 27, 29 and 30 stand rejected under 35 U.S.C. §101 as claiming the same invention as that of claims 8, 10, 12, 13, 22, 24, 26 and 27 of prior U.S. Patent No. 6,442,688. These claims have been amended so that they are no longer coextensive in scope with the claims identified in U.S. Patent No. 6,442,688. Applicants have amended claims 8 and 24 in an effort to overcome the same invention double patenting rejection. These claims are also allowable for similar reasons mentioned above with respect to claim 15 and that the combination of references is respectfully submitted to be improper and when combined, still do not teach the claimed subject matter. Accordingly, Applicants submit that these claims are also in condition for allowance.

Applicants have submitted herewith a terminal disclaimer for claims 12 and 28 to overcome the rejection.

10

Accordingly, Applicants respectfully submit that the claims are in condition for allowance, and that an early Notice of Allowance be issued in this application. The Examiner is invited to contact the below-listed attorney if the Examiner believes that a telephone conference will advance the prosecution of this application.

Respectfully submitted,

Date: _May 24, 2004_

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